

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

ANTHEM, INC.

Plaintiff and  
Counter-  
Defendant,

vs.

EXPRESS SCRIPTS, INC.

Defendant and  
Counter-Plaintiff.

**STIPULATION AND  
[PROPOSED]  
ORDER SEALING RESPONSE  
TO PRE-MOTION LETTER  
AND EXHIBITS**

Civil Action No. 16 Civ. 2048  
Hon. Edgardo Ramos

WHEREAS, Express Scripts, Inc. (“ESI”) and Anthem, Inc. (“Anthem”) entered into a Confidentiality Agreement and Stipulated Protective Order (the “Confidentiality Order”) (ECF No. 48), dated December 8, 2016;

WHEREAS, Anthem and ESI have designated certain material as “Confidential” and “Highly Confidential” under the Confidentiality Order;

WHEREAS, Paragraph 32 of the Confidentiality Order requires the parties to seek the Court’s permission to file any material designated as “Confidential” or “Highly Confidential” under seal;

WHEREAS, Anthem seeks leave to file under seal a letter responding to ESI’s pre-motion letter (ECF No. 226) seeking a pre-motion discovery conference (“Response to Pre-Motion Letter”), including certain exhibits that Anthem and ESI have designated “Confidential” and “Highly Confidential”;

IT IS HEREBY STIPULATED AND AGREED, by and among the undersigned counsel for ESI and Anthem that:

1. Anthem is authorized to file its Response to Pre-Motion Letter and exhibits under seal; and
2. This Stipulation may be executed in counterparts and by e-mail or facsimile transmission, each of which shall be deemed an original for purposes of this Stipulation.

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*Counsel for Express Scripts, Inc.*

SO ORDERED.

Edgardo Ramos  
Edgardo Ramos, U.S.D.J  
Dated: 7/12/2019  
New York, New York